

CHANAKYA NATIONAL LAW UNIVERSITY, PATNA

**Criminal Law – I Indian Penal Code, 1860, The Sexual Harassment of Women at
Workplace (Prevention, Prohibition and Redressal) Act, 2013 & The Prevention of
Corruption Act, 1988**

Semester III Academic Year 2021-22

COURSE OUTLINE

Course Teacher: Ms. Preety Anand, Assistant Professor (Law)

Total Number of Hours: 60 hours

Course Objectives:

Criminal Law is one of the basic and traditional areas of law that moulds one's understanding about the entire legal system. This is an area of law that every single member of the society can relate to in some way or the other. This is an introductory course on criminal law designed to develop the ability to understand the meaning of crime and the essential principles of criminal liability and apply the same to factual life situation. It is designed to cover the relevant principles and provisions of the Indian Penal Code, 1860. The course aims to equip students to be able to read legal text and apply them to factual situations and to scrutinize certain areas of criminal law critically to develop ideas for reforming the present criminal justice system. It is designed to discuss the relevant amendments and judgments to acquaint the students with the recent developments in the field.

Syllabus:

Module No.	Description	No. of Hours
1.	Introduction 1.1 Crime: Meaning and Definition, Difference between crime and other wrongs 1.2 Elements of crime: <i>mens rea</i> and <i>actus reus</i> 1.3 Stages of crime 1.4 Extent and Scope of application of IPC 1.5 Important Definitions 1.6 Joint and Constructive Criminal Liability: Common Intention and Common Object 1.7 Punishment	11

	<ul style="list-style-type: none"> 1.7.1 Why punish? (R v Dudley and Stephens) 1.7.2 Theories of Punishment 1.7.3 Types of Punishment under the IPC 1.7.4 Constitutionality of Death Penalty. 	
2.	<p>General Exceptions</p> <ul style="list-style-type: none"> 2.1 Mistake of Fact & Judicial Acts 2.2 Accident and Misfortune, 2.3 Necessity 2.4 Infancy 2.5 Insanity or Mental Abnormality 2.6 Intoxication 2.7 Consent and Compulsion 2.8 Trivial Act 2.9 Good Faith 2.10 Right of Private Defence of Body and Person 	10
3.	<p>Inchoate/ Preliminary Offences</p> <ul style="list-style-type: none"> 3.1 Introduction 3.2 Possible Parties to a Crime 3.3 Inchoate Offences under IPC <ul style="list-style-type: none"> 3.3.1 Abetment 3.3.2 Criminal Conspiracy 3.3.3 Attempt (506-511) 	5
4.	<p>Offences against Human Body</p> <ul style="list-style-type: none"> 4.1 Culpable Homicide and Murder 4.2 Criminalisation of Attempt to Suicide 4.3 Constitutional Validity of Section 303 4.4 Hurt and Grievous hurt 4.5 Wrongful Restraint and Wrongful confinement 4.6 Criminal Force and Assault 4.7 Kidnapping and Abduction 4.8 Sexual Offences: Rape and Unnatural Offences 	12
5.	<p>Offences against Property</p> <ul style="list-style-type: none"> 5.1 Theft, Extortion, Robbery & Dacoity 5.2 Criminal misappropriation of Property & Criminal Breach of Trust 5.3 Receiving of stolen property 5.4 Cheating 5.5 Mischief 5.6 Criminal trespass 	10
6.	<p>Offences against Marriage</p> <ul style="list-style-type: none"> 6.1 Mock Marriage 	3

	6.2 Bigamy 6.3 Constitutionality of the offence of Adultery 6.4 Cruelty	
7.	Offences against Women 7.1 Obscenity and Women (s. 292, 294) 7.2 Dowry Death (s. 304B) 7.3 Miscarriage (s. 312-316) 7.4 Acid Attacks 7.5 Assault or criminal force to outrage the Modesty of a Woman (s. 354) 7.6 Sexual Harassment, Voyeurism, Disrobing a woman, Stalking (354 A- D) 7.7 Rape (s. 375, 376) 7.8 Cruelty (s. 498A) 7.9 Insult the modesty of a woman (s. 509) 7.10 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.	6
8.	The Prevention of Corruption Act, 1988	3

Prescribed Legislations:

1. The Indian Penal Code, 1860.
2. The Code of Criminal Procedure, 1973.
3. The Constitution of India, 1950.
4. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
5. The Prevention of Corruption Act, 1988.
6. The Juvenile Justice (Care and Protection of Children) Act, 2000.

Suggested Books:

1. Glanville Williams, *Text Book of Criminal Law*, Universal Law Publishing Co., New Delhi, 2012.
2. Ratanlal and Dhirajlal, *The Indian Penal Code*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. K I Vibhuti, *P S Achutham Pillai's Criminal Law*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
4. K. D. Gaur, *A Textbook on the Indian Penal Code*, Universal Law Publishing Co., New Delhi, 2012.

5. J. W Cecil Turner, *Kenny's Outlines of Criminal Law*, 18th ed, Cambridge University Press, 1962.
6. Andrew Ashworth, *Principles of Criminal Law*, Oxford University Press, US, 2009.
7. Dr. H.S. Gaur, *Penal Law of India*, Law Publishers, Allahabad, 2013.

Important Cases:

1. *Abyanand Misra v State of Bihar* AIR 1961 SC 1698.
2. *Amjad Khan v State* AIR 1952 SC 165.
3. *Arjun v State of Maharashtra* AIR 2012 SC 2181.
4. *Bablu @ Mabarik Hussain v State of Rajasthan* AIR 2007SC 697.
5. *Bachan Singh v State of Punjab* AIR 1980 SC 898, (1980) 2 SCC 684.
6. *Barendra Kumar Ghosh v King Emperor* AIR 1925 PC.
7. *Basdev v Stat of Pepsu* AIR 1956 SC 488.
8. *Bodhisattwa Gautam v Subhra Chakrabarty* AIR 1996 SC 922.
9. *Butta Singh v State of Punjab* AIR 1991 SC 1316.
10. *Cherubin Gregory v State of Bihar* 1964 AIR 205, 1964 SCR (4) 199.
11. *Chirangi v State* 1952 CrLJ 1212 (MP).
12. *Darshan Singh v State of Punjab* AIR 2010 SC 1212.
13. *Dasrath Paswan v State of Bihar* AIR 1958 Pat. 190.
14. *Deelip Singh v State of Bihar* AIR 2005 SC 203.
15. *Ediga Anamma v State of Andhra Pradesh*, 1974 AIR 799.
16. *Emperor v Dhirajia* AIR 1940 All. 486.
17. *Gian Kaur v State of Punjab* AIR 1996 SC 946.
18. *Gyarsibai v State*, AIR 1953 MP 61.
19. *Hansa Singh v State of Punjab*, AIR 1977 SC 1801.
20. *Haradhan Chakrabarty v Union of India* AIR 1990 SC 1210.
21. *Independent Thoughts v Union of India*, 2017.
22. *Jacob Mathew v State of Punjab* AIR 2005 SC 3180.
23. *Jagmohan Singh v State of Uttar Pradesh* AIR 1973 SC 947.
24. *Jai Lal v Delhi Administration* AIR 1969SC 15.
25. *Jaidev v State of Punjab* AIR 1963 SC 612 (617).
26. *Jashanmal Jhamatmal v Brahmanand Sarupanand* AIR 1944 Sind. 19.
27. *Joseph Shine v Union of India*, 2018.
28. *K.M. Nanavati v State of Maharashtra* AIR 1962 SC 605.
29. *K.N. Mehra v State of Rajasthan* 1957 AIR 369.
30. *Kanwar Singh v Delhi Administration* AIR 1965 SC 871.
31. *Kehar Singh v Delhi Administrator* AIR 1988 SC 1883.
32. *Lakshmi v State* AIR 1963 All 534.
33. *Lily Thomas v Union of India* AIR 2000 SC 1650.
34. *Machchi Singh v State of Punjab* AIR 1983 SC 957.

35. *Mahboob Shah v Emperor* AIR 1945, PC 118.
36. *Mithu v State of Punjab* AIR 1983 SC 473.
37. *Mubarak Ali v The State of Bombay* AIR 1957 SC 857.
38. *Mukesh & Anr vs State For NCT of Delhi & Ors*, 2013.
39. *Munney Khan v State of Madhya Pradesh* AIR 1971 SC 1491.
40. *Narinder Kumar v State of Jammu and Kashmir* AIR 2010 SC 3015.
41. *Navtez Singh Johar v Union of India*, 2018.
42. *Naz Foundation v Government of NCT of Delhi*, (2009) 160 DLT 277
43. *P. Rathinam v Union of India* AIR 1994 SC 1844.
44. *Pandurang Tukia v State of Hyderabad*, AIR 1955 SC 216.
45. *Paras Ram v. State of Punjab* (1981) 2 SCC 508.
46. *Pramatha Nath Talukdar v Saroj Ranjan Sarkar* AIR 1962 SC 876.
47. *Puran Singh v State of Punjab* AIR 1975 SC 1674.
48. *Pyarelal Bhargava v State of Rajasthan* 1963 AIR 1094.
49. *R v Dudley & Stephens* [1884] 14QBD 273.
50. *R v Govinda* (1876), Bom 342.
51. *R v Prince* LR 2 CCR 154.
52. *R v. Daniel McNaughten*, 1843.
53. *R v. Hudson & R v. Taylor* [1971] 2 All ER 244.
54. *Ram Rattan Singh v State of Uttar Pradesh* AIR 1977 SC 619.
55. *Ram Tahal v State of UP* AIR 1972 SC 254.
56. *Ratan Lal v State of Madhya Pradesh* AIR 1971SC 778.
57. *Sakshi v Union of India and Others* AIR 2004 SC 3566.
58. *Sarla Mudgal v Union of India* AIR 1995 SC 1531.
59. *Sheikh Haider v Issa Syed* AIR 1938 Nag. 235.
60. *Sheralli Wali Mohammed v State of Maharashtra* AIR 1972SC 2443.
61. *Siddhartha Vashisht @ Manu Sharma v State (NCT of Delhi)* (2010) 6 SCC 1.
62. *Sowmithri Vishnu v Union of India* AIR 1985 SC 1618.
63. *State of A.P. v R. Punnayya* 1977 Cr LJ 1(SC).
64. *State of Haryana v Raja Ram* AIR 1973 SC 819.
65. *State of Madhya Pradesh v Ahmadulla* AIR 1961SC 998.
66. *State of Madras v Vardarajan* AIR 1965 SC 942.
67. *State of Maharashtra v Mohd. Yakub* AIR 1980 SC 1111.
68. *State of Maharashtra v M H George* AIR 1965 SC 722.
69. *State of Punjab v. Gurmit Singh* – AIR 1996 SC 1393
70. *State of Tamil Nadu (CBI/SIT) v Nalini* AIR 1999SC 2640.
71. *State of West Bengal v. Shew Mangal Singh* AIR 1981 SC 1917.
72. *Suresh Kumar Koushal and another v NAZ Foundation and others* (2014) 1 SCC 1
73. *Tukaram v State of Maharashtra* AIR 1979 SC 185.
74. *United States v Holmes* (1842) 26 Fed Case 360.

75. *V Revathi v Union of India* 1988 SCR (3) 73.
76. *Veeda Menezes v Yusuf Khan Haji Ibrahim Khan* AIR 1966 SC 1773.
77. *Virsa Singh v State of Punjab* AIR 1958 SC 465.
78. *Vishaka and Others. v State of Rajasthan and Others.* AIR 1997 SC 3011.
79. *Vishwanath v. State of Uttar Pradesh* AIR 1960 SC 67.
80. *Yeshwanth Rao v State of Madhya Pradesh* AIR 1992 SC 1683.
81. *Yogendra Morarji v State of Gujarat* AIR 1980 SC 660.
82. *Yusuf Abdul Aziz v. State of Bombay*, 1954 SCR 930.

Learning Outcomes:

After completing the course, the students shall be able to:

1. Have a basic understanding of the general principles, concepts and the key elements in the area of law of crimes.
2. Understand that this area of law is quite vast and dynamic and keep abreast with latest developments.
3. Exhibit the ability to read and interpret the Indian Penal Code, 1860 and evaluate judgments in the area of law of crimes critically.
4. Critically examine the prevailing criminal law and propose reformative ideas.

IMPORTANT NOTES:

- The topics, legislations and cases mentioned above are not exhaustive in nature. The course teacher shall be at liberty to add, remove or make modifications to the same throughout the semester.
- The number of hours allotted to each module is subject to modification in peculiar circumstances by the course teacher.
- The number of hours allotted to each module shall include class discussion sessions notified by the course teacher.

Entrepreneurship

Semester: 3rd

Faculty: Dr Md Safiullah

Objectives:

- To develop Entrepreneurial mindset among graduates.
- To encourage to opt for self-employment as a viable option for earning dignified means of living.
- To enable to appreciate the dynamic changes happening in the economy.
- To acquaint the role of Entrepreneurship in the growth and economic development of the nation.
- To promote Entrepreneurship as life-skills to improve quality of life, skills of creation and management of entrepreneurial pursuits.

UNIT I: INTRODUCTION

(15 Hrs)

Procedure: Lecturing and Explain with illustrations

Objectives:

- To understand the basic of Entrepreneurship
- Role of factors in Entrepreneurship development
- To understand types of entrepreneur
- To know Entrepreneurship in different sectors.

Meaning and Importance, Evolution of term 'Entrepreneurship, Factors influencing entrepreneurship; Psychological factors, Social factors, Economic factor, Environmental factors.

Characteristics of an entrepreneur. Entrepreneur and Intrapreneur, Types of entrepreneur :

According to Type of Business, According to Use of Technology, According to Motivation,

According to Growth, According to Stages. New generations of entrepreneurship viz. social

entrepreneurship, Edupreneurship, Health entrepreneurship, Tourism entrepreneurship, Women entrepreneurship etc. Barriers to entrepreneurship

UNIT II: BECOMING AN ENTREPRENEUR

(12 Hrs)

Procedure: Lecturing and Explain with illustrations

Objectives:

- Collect information regarding various business opportunities in different trades;
- Identify various business opportunities;
- Finalize business trade
- State and describe various trade formalities

Introduction, Entrepreneurship as a Person, Traits and Characteristics of Entrepreneurs, Delicate. Uniqueness of Entrepreneurs, Opportunities in Self-employment, Idea Generation; Selecting an Idea, Generation of Idea, Recalling Your Selected Ideas. Business Opportunities, Identifying My Business Choice – SWOT, Crucial Factors for Setting Up the Small Business, Preliminaries in Setting Up a Business or Trade, Product - Specific Formalities, Business Blueprint,

UNIT III: SETTING UP A SMALL BUSINESS ENTERPRISE (12 Hrs)

Procedure: Lecturing and Explain with illustrations and Case study.

Objectives:

- Collect information regarding the field of their choice from the available resources,
- Organize and build their project of small entrepreneurship unit on it;
- Identify the need to upgrade their vocational skills and analyze its financial implications,
- Search for financial assistance available in the area of their interest,
- Prepare income and expenditure statements,
- Seek insurance cover, if required,
- Explore existing marketing trends for selling their finished goods, and
- Plan for facing the crises situations.

Introduction, Steps in Setting Up a Small Business Enterprise; Collect Information, Organize Information, Upgrading Vocational Skills, Financial Implications, Market Trends, Crisis Management, Small Business Analysis Skills; Planning, Organizing Manpower, Assistance, Market Research.

UNIT IV: FINANCIAL MANAGEMENT OF SMALL BUSINESS (12 Hrs)

Procedure: Lecturing and Case study method

Objectives:

- Help your client to underline and appreciate the relevance of a business plan;
- Help your client prepare a business plan;
- Guide your client to assess his working capital requirement;
- Carry out the appraisal of the business plan prepared by your client;
- Facilitate your clients in accessing the credit system available, if needed.\
- Describe how to maintain the records and the books of accounts.

Introduction, Need for a Business Plan, Preparing Business Plan, Working Capital and Project Cost Assessment, Appraising the Business Plan; Technical Appraisal, Marketing Appraisal, Financial Appraisal, Sensitivity Analysis, Break Even Point, Debt Service Coverage Ratio, The Formal Credit System, The Government Sponsored Schemes, Alternative Credit Delivery System, Maintenance of Records and Accounts,
Mustafa - The Potential Entrepreneur,

Basic Texts:

Barringer, R.B., & Ireland, D, R. (2016). Entrepreneurship--- Successfully launching new ventures. Essex, England: Pearson Education Limited

Entrepreneurship: Creating and Leading an Entrepreneurial Organization, Arya Kumar, Pearson

Handbook on Entrepreneurship Development, BS Rathore and JS Saini, Aapga Publications Panchkula

Women Entrepreneurs : Opportunities, Performance, Problems, SK Dhameja, Deep and Deep Publications, Jaipur

Swanson, Lee A. Entrepreneurship and Innovation Tool Kit. 3rd Edition OER
<https://open.umn.edu/opentextbooks/textbooks/entrepreneurship-and-innovation-toolkit> b.

Reference Books:

Bansal, R. (2015). Arise, Awake. New Delhi, India: Westland Limited.

Screwvala, R. (2016). Dream with your eyes open: An entrepreneurial journey. New Delhi, India: Roopa Publications

Software:

i. Gale - Cengage product

Other reading material:

Approaches to Entrepreneurship Development: The Indian Experience, Dinesh Awasthi
https://www.researchgate.net/publication/265572417_Approaches_to_Entrepreneurship_Development_The_Indian_Experience
<https://www.entrepreneur.com/in>
<https://www.cmu.edu/swartz-center-for-entrepreneurship/education-and-resources/project-olympus/pdf/entrepreneurship-101.pdf>
https://www.researchgate.net/publication/301659818_Introduction_to_Entrepreneurship
<https://www.uv.es/bcjauveg/docs/LibroCuervoRibeiroRoigIntroduction.pdf>
<http://download.nos.org/srsec319new/319EL9.pdf>
<https://vtechworks.lib.vt.edu/bitstream/handle/10919/70961/Chapter%206%20Entrepreneurs%20Starting%20a%20Business.pdf>

CHANAKYA NATIONAL LAW UNIVERSITY

Nyaya Nagar, Mithapur, Patna-800001

3rd Semester

SUBJECT: FAMILY LAW- II

(Syllabus)

Course Teacher- Ms. Pooja Srivastava

Family Law is the branch of law, which touches each and every individual of the society. It governs an integral part of the life of the individual. In India we have a strange spectacle of personal laws. They owe their diversity to their varied origin, distinct principles and the bulk of substantive law itself. The personal laws play a vital role in governing the conflicting interest of the individuals. In India in personal matters there is no national or regional law. Personal law of a person is not determined by his domicile or his nationality but by his membership of the community to which he belongs. Study of Family Law is Unique. It is not like the rest of the civil laws. It lacks uniformity in application. It covers an enormous area of domestic relations such as marriage, matrimonial remedies, legitimacy of children, custody, guardianship, adoption, intestate and testamentary succession etc. so because of compulsion the sheer bulk of Family Law is divided into two as family Law-I and Family Law – II. Family Law-II deals with laws relating to Hindu Joint family, devolution of ancestral or coparcenary property, succession to separate property of a Hindu and the Muslim law relating to gifts, wills and inheritance. The rules relating to marriage, matrimonial remedies, legitimacy of children, custody, guardianship, adoption is of immense importance as it involves the sensitive relationship between individuals in the society.

Course Module

PART - A: HINDU LAW OF JOINT FAMILY

Topic 1: Who is Hindu and two Schools

- Who is Hindu,
- Two Schools,
- Special Authority in Sub-Schools,
- General Rule of Mitakshara School,
- General Rule of Dayabhaga School,
- Presumptions as to School,
- Rule of Interpretation,
- Factum Valet.

Topic 2: Joint Hindu Family and Coparcenary

- Joint family and Coparcenary,
- Features of Joint and Undivided Family,
- Hindu Coparcenary,
- Conception of Coparcenary,
- Limit of Four Degrees,
- Reason of Rule of Four Degree,
- Features of Coparcenary,
- Points in Common and difference.

Topic 3: Property in Hindu Law

- Obstructed and Un-obstructed Property,
- Classification of property,
- Incident of Joint family Property,
- Incident of Separate Property,
- Burden of Proof and Presumption,
- Ancestral Property,
- Nature of Father's and Son's Interest in Ancestral Property,
- When Jointly Acquired Property Becomes Joint Family Property,
- Doctrine of Blending,
- Gain of Learning.

Topic 4: Management of Joint Family Property

- Karta,
- Who Can Be Karta,
- Position of Karta,
- Power of Karta,
- Duties of Karta,
- Alienation of Coparcenary property: Person and Purposes,
- Right and Remedies of alienee.

Topic 5:

- Women Estate and Stridhan,
- Pious obligations of the son.

Topic 6: Partition and Reunion under Mitakshara School

- What property is divisible on partition,
- Person entitled to share on partition,

- Allotment of shares,
- Partition how effected,
- Reopening of partition,
- Effect of partition.

PART - B: THE HINDU SUCCESSION ACT, 1956

Topic 6: Succession to Property of a Male Intestate

- a) General introduction and the application of the Hindu Succession Act, 1956,
- b) Devolution of Mitakshara property under the Act,
- c) General principles of inheritance,
- d) Disqualifications of heirs.

Topic 7: Succession to the Property of Female Intestate

- a) Hindu women's estate,
- b) Law relating to inheritance.

PART – C: LAW RELATING TO PROPERTY UNDER MUSLIM LAW

Topic 8: Muslim Women Maintenance Right

Topic 9: Law relating to Gifts

- a) Who can make a valid gift?
- b) Meaning and essentials of a valid gift,
- c) Requisites of gift (parties, subject, extent of donor's right, mode of gift, declaration of gift, acceptance of gift),
- d) Delivery of possession,
- e) Delivery how effected,
- f) Gift made during Marz-ul-Maut.

Topic 10: Law relating to Wills

- a) Capacity to make Will,
- b) Subject matter of Will,
- c) To whom Will can be made,
- d) Abatement of legacies.
- e) Revocation of will.

Topic 11: Law relating to Wakf

- a) Essentials of a valid Wakf,
- b) Kinds of Wakfs,

- c) Doctrine of Cypres,
- d) Wakf how created,
- e) Completion of Wakf
- f) Mutawalli, Powers of a Mutawalli, Removal of a Mutawalli.

Topic 12: Law relating to Inheritance (Muslim)

- a) General rules of inheritance of Sunnis and Shias,
- b) Impediments to inheritance in the Muslim law,
- c) Hanafi Law of inheritance,
- d) Classification of heirs,
- e) Entitlement of primary heirs,
- f) Doctrine of Rad and Aul,
- g) Difference between Shia and Sunni law of inheritance.

Topic 13: Uniform Civil Code

PRESCRIBED BOOKS:

1. Mulla, *Principles of Hindu Law* (Latest Edition)
2. Poonam Pradhan Saxena, *Family Law Lectures, Family Law– II*, (Latest Edition)
3. Paras Diwan and Peeyushi Diwan, *Modern Hindu Law* (Latest Edition)
4. Paras Diwan, *Muslim Law*. (Latest Edition)
5. *Mulla* on Mohammedan law (Latest edition)
6. *Aquil Ahmad* on Mohammedan Law (Latest edition)

LAW OF CONTRACTS – II

INDIAN CONTRACT ACT, INDIAN PARTNERSHIP ACT, SALE OF GOODS ACT AND LIMITED LIABILITY PARTNERSHIP ACT

**Name Of Faculty - Sushmita Singh
Teacher Associate
CNLU, Patna**

OBJECT OF THE COURSE:

The primary goal of this course is to acquaint the students with the basics of Special Contracts and make them able to grasp the nuances of the contractual transactions involving these forms of contracts. After studying this course students will be able to analyse the implications of a contractual arrangement falling under any of the discussed head of special contracts. They will be able to determine the legality of the transactions and also the rights and duties of the parties thereto. They will also be able to purposefully deal with the disputes arising out of such contractual arrangements.

This course is to be taught after the students have been made familiar with the general principles of contract in which the emphasis is on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. This course should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

The *main objectives* of this course are:

- ❖ To learn the fundamental principles underlying these special forms of contract.
- ❖ To learn the limits of the freedom of the parties within the prescriptions of law in relation to the special forms of contract and consequently better appreciate the impact on the classical theory of freedom of contract.
- ❖ To appreciate the relationship of general principles with the special contracts.
- ❖ To develop skills of legal analysis and argument.
- ❖ To understand how law allocates for the economic risks involved in commercial transactions.
- ❖ To understand the growing importance of special contracts and to have a foundational understanding of the new forms special contracts including technology transfer agreements, e-contracts including software licensing agreements, infrastructure contracts, government contracts, public private partnerships etc.
- ❖ To emphasize on the drafting skills of the students.

In addition, this course will consider how the evolution of these contractual principles has impacted the changing business environment and also the effect of the later on the

former. We would seek to determine the functions of these contractual forms in societal evolution and business institutions.

COURSE MODULE:

1. Indemnity:

Approx. 6 Lectures

- 1.1. The concept
- 1.2. Need for indemnity to facilitate commercial transactions.
- 1.3. Definition of Indemnity
- 1.4. Nature and extent of liability of the indemnifier
- 1.5. Commencement of liability of the indemnifier
- 1.6. Situations of various types of indemnity creations.
- 1.7. Documents/agreements of indemnity
- 1.8. Nature of indemnity clauses.

2. Guarantee:

Approx. 6 Lectures

- 2.1. The concept.
- 2.2. Definition of guarantee: as distinguished from indemnity.
- 2.3. Basic essentials for a valid guarantee contract.
- 2.4. Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety.
- 2.5. Continuing guarantee.
- 2.6. Nature of surety's liability
- 2.7. Duration and termination of such liability.
- 2.8. Illustrative situations of existence of continuing guarantee.
- 2.9. Creation and identification of continuing guarantees.
- 2.10. Rights of surety
- 2.11. Position of surety in the eye of law.
- 2.12. Co-surety and manner of sharing liabilities and rights.
- 2.13. Extent of surety's liability.
- 2.14. Discharge of surety's liability.

3. Bailment:

Approx. 8 Lectures

- 3.1. Identification of bailment contracts in day today life.
- 3.2. Manner of creation of such contracts
- 3.3. Commercial utility of bailment contracts
- 3.4. Definition of bailment
- 3.5. Kinds of bailees
- 3.6. Duties of Bailor and Bailee towards each other
- 3.7. Rights of bailor and bailee
- 3.8. Finder of goods as a bailee.
- 3.9. Liability towards the true owner.
- 3.10. Obligation to keep the goods safe

- 3.11. Right to dispose of the goods.
- 3.12. Lien and types of Lien

4. Pledge:

Approx. 5 Lectures

- 4.1. Pledge: comparison with bailment
- 4.2. Commercial utility of pledge transactions
- 4.3. Definition of pledge under the Indian contract Act
- 4.4. Rights of the pawner and pawnee.
- 4.5. Pawnee's right of sale as compared to that of an ordinary bailee
- 4.6. Pledge by certain specified persons mentioned in the Indian Contract Act.

5. Agency:

Approx.08 Lectures

- 5.1. Identification of different kinds of agency transactions in day to day life in the commercial world
- 5.2. Kinds of agents and agencies.
- 5.3. Distinction between agent and servant.
- 5.4. Essentials of an agency transaction
- 5.5. Various methods of creation of agency
- 5.6. Delegation
- 5.7. Duties and rights of agent
- 5.8. Scope and extent of agent's authority.
- 5.9. Liability of the principal for acts of the agent including misconduct and tort of the agent.
- 5.10. Liability of the agent towards the principal.
- 5.11. Personal liability towards the parties
- 5.12. Methods of termination of agency contract
- 5.13. Liability of the principal and agent before and after such termination.

6. Sale of Goods, 1930:

Approx. 12 Lectures

- 6.1. Concept of sale as a contract
- 6.2. Illustrative instances of sale of goods and the nature of such contracts.
- 6.3. Essentials of contract of sale
- 6.4. Essential conditions in every contract of sale
- 6.5. Implied terms in contract of sale
- 6.6. The rule of caveat emptor and the exceptions thereto under the Sale of Goods Act.
- 6.7. Changing concept of caveat emptor
- 6.8. Effect and meaning of implied warranties in a sale
- 6.9. Transfer of title and passing of risk
- 6.10. Delivery of goods: various rules regarding delivery of goods.
- 6.11. Unpaid seller and his rights
- 6.12. Remedies for breach of contract

7. The Indian Partnership Act,1932:

Approx. 12 Lectures

- 7.1. Nature of partnership: definition
- 7.2. Distinct advantages and disadvantages vis-à-vis partnership and private limited company
- 7.3. Mutual relationship between partners
- 7.4. Authority of partners
- 7.5. Admission of partners.
- 7.6. Outgoing of partners.
- 7.7. Registration of Partnership
- 7.8. Dissolution of Partnership

8. The Limited Liability Partnership, 2008

Approx. 6 Lectures

- 8.1. Salient Features of LLP
- 8.2. Extent and limitations of LLP& Partnership
- 8.3. Incorporation of New LLP
- 8.4. Designate partner
- 8.5. Obtaining DPIN and digital signature
- 8.6. Drafting of LLP agreement
- 8.7. Certificate of Incorporation
- 8.8. Difference between LLP and company

Important Case Laws

- New India Assurance Company Ltd. Vs Kusumanchi Kameshwra Rao & Others, 1997
- Industrial Financial Corporation of India v/s Kannur Spinning & Weaving Mills Ltd, 2002
- Bank of Bihar Ltd. v/s Damodar Prasad, 1969
- Maharashtra Electricity Board Bombay v/s Official Liquidator and Another, 1982
- Mukesh Gupta v/s Sicorn Ltd. Mumbai, 2004
- Bank of India v/s Yogeshwar Kant Wahhera, 1987
- Kellappan Nambiar v/s Kanhi Raman-1957
- State Bank of India v/s V.N. Anantha Krishnam 2005
- Industrial Financial Corporation of India v/s Kannur Spining & Weaving Mills Ltd.- 2002
- Harigobind Aggarwal v/s State Bank Of India-1956
- London General Omnibus V/s Holloway- 1912
- Lloyd's v/s Harper-1880

Wingfield v/s De St Cron 1919
Durga Priya v/s Durga Pada 1928
Calcutta Credit Corporation Ltd. v/s Prince Peter of Greece-1964
Barbant & Comp. v/s King, 1895
Laxmi Narayan v/s The Secretary for State for India:1923:
Purshotam Das v/s Union of India-1967
A.T.Trust Ltd., v/s Trippunhura Devaswomi 1954.
Jagdish chand Trikha v/s Punjab National Bank, 1998
Ultzen v/s Nicoles, 1894
Pillai v/s Visalakshmi, 1938
Punjab National Bank v/s Sohan Lal, 1962,
Revenue Authority v/s Sunderasanam Pictures-1968
Digvijay Cement Co.Ltd. v/s State Trading Corpn., 2006.
Lloyds v/s Grace Smith HL 1912
Grace v/s Smith, 1775
Waugh v/s Carver, 1793
Cox v/s Hickman-1860
U.P., v/s Hamid Khan & Bros. and others-1986
Cox v/s Hickman, 1860
Grace V/s Smith-1775
M/s Samy Uktha Cotton Trading Co. v/s B.V.Suhhaiah-2005
Mir Abdul Khaliq v/s Addul Gaffar Seriff-1985

Suggested Readings:

1. R.K.Abhichandani (ed.), Pollock and Mulla on Contracts and Specific Relief Acts (1999) Tripathi,Bombay
2. Avtar Singh, Contract Act (20), Eastern, Lucknow.
3. Krishnan Nair, Law of Contract,(1999) Orient
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase (1998), Eastern, Lucknow
5. A. G. Guest (ed.), Benjamin`s Sale of Goods (1992), Sweet & Maxwell.
6. Beatson (ed.), Ansons' Law of Contract, (1998), Oxford, London
7. Saharay, H.K., Indian Partnership and Sale of Goods Act (2000), Universal
8. R.K.Bangia Law of Contract II

MANAGERIAL ECONOMICS

Program : BBALLB	Semester : 3
Class of : 2021	Classes : 50
MANOJ MISHRA	

Objective: The course aims at providing basic theories and tools of analysis and develops an understanding of the behavior of various economic agents (individuals and firms). The course also provides an appreciation and application of various microeconomic theories, in different managerial situations.

Text Book	Author/Publication
Managerial Economics 2e	Suma Damodaran / Oxford
Reference Books	Author/Publication
Managerial Economics	Mark Hirschey, 10e/ Thomson
Managerial Economics	William F.Samuelson, Stephen G. Mark, 5e/ John Wiley & Sons.
Managerial Economics	Truett + Truett, 8e/ Wiley
Managerial Economics	Domnick Salvatore, 4e / Thomsan
Managerial Economics	Dr V Panduranga Rao / IBS publication
Economics, 17 e	Paul A Samuelson & William D Nordhaus / McGraw – Hill, 2001

Detailed Curriculum

Introduction to Economics: Demand and Supply, Elasticity, Minimum Wage, Taxation.

Demand Estimation and Forecasting: Demand estimation using qualitative research technique. Statistical estimation of demand functions. Forecasting. Forecasting Techniques.

Firm as a Producer. Analysis of Production:

Production Analysis Theory and Estimation: Introduction, The Production Function, Law of Diminishing Returns or The Law of Variable Proportions, Relation between Total Product, Average Product and Marginal Product, The Three Stages of Production, Short-run and the Long-run. Returns to Scale, Technological Change, Isoquant, The Law of Diminishing Marginal Product, The Economic Region of Production, Equal Cost Lines, Choices of

Input Combinations- Maximization of Output subject to the Cost Constraint, Minimization of Cost for a Given Level of Output: Least Cost Conditions, The Expansion Path.

Competitive and Monopoly Model

Market Structure Analysis and Estimation: Perfect Competition:

Introduction, Assumptions, Short-run and Long-run Equilibrium of the Competitive firm, Supply Behavior of a Competitive Firm, Long-run Supply Curve, Efficiency of Competitive Markets, Evaluating the Market Mechanism, Efficiency of Competitive Markets, Effects of Taxation under Perfect Competition.

Monopoly:

Imperfect Competition, The Herfindahl's Index, Concentration Ratio, Source of Market Imperfections-Costs and Market Imperfections, Monopoly-Basic Concepts, A few Properties of Equilibrium under Monopoly, Absence of Supply Curve under Monopoly, Effect of a shift in the Demand on Monopoly, Effect of shift in

Cost, Imposition of Tax under Monopoly, Measures of Monopoly Power, Comparison between Monopoly and Perfect Competition, Price Discrimination, Equilibrium of a Discriminating Monopolist. Types of Price Discrimination, Price Discrimination and the Existence of the Industry, Monoposony, Bilateral Monopoly.

Imperfect Competition:

Monopolistic Competition: Product Differentiation, Equilibrium, Advertising and Product Development in Monopolistically Competitive Markets.

Oligopoly: Introduction, Indeterminateness of Equilibrium Price and Output under Oligopoly, Non-collusive Oligopoly, Cournot's Model of Duopoly. Other Oligopoly Models, The Kinked Demand Curve, Collusive Oligopoly, Cartels, Cartels aiming at Joint Profit Maximization, Market Sharing Cartels, Price Leadership. The Theory of Games, The Pay-off Matrix, Dominant Strategies and Nash Equilibrium, Dominated Strategies, Maximin and Minimax Strategies, Maximin -Minimax Combination and the equilibrium.

Fiscal and Monetary Exchange Rate Policies:

Business cycle. Fiscal Policy. Monetary Policy. Exchange Rate Policy.

Contemporary Economic Scenario:

Nobel prize winners and their contribution to Economics. Indian economy and future trends.

Schedule of Sessions

Topics	Sessions
Pre-Mid Sem	
Introduction to Economics	5
Demand Estimation and Forecasting	5
Firm as a Producer	7
Production Analysis	5
The relation between Production and Cost	5
Perfect Competition	4
Post-Mid Sem	
Monopoly	5
Monopolistic Competition	5
Oligopoly	4
Fiscal and Monetary Exchange Rate Policies:	5
Contemporary Economic Scenario	2
Total	52

SYLLABUS OF MICRO ECONOMICS

FOR

B.A., LL.B. (HONS.)



Dr. SHIVANI MOHAN

Assistant Professor of Economics

CHANAKYA NATIONAL LAW UNIVERSITY, PATNA

NYAYA NAGAR, MITHAPUR

PATNA- 800 001

2021-2022

Semester III
Economics I (Micro Economics)

Objective: The objective of this paper is to provide broad understanding of basic concepts of economics and understanding of relationship between economics and law. The course is designed for the beginners with no formal background or little acquaintance with economics. The objective is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in economics, to facilitate their understanding of various legal phenomena. Emphasis will be on the use of graphs, diagrams and numerical tables/schedules for exposition.

The knowledge of Economics is now extremely important for everybody in the Legal Profession, more so in case of all transactional and corporate lawyers. Therefore, it is always advisable for the students of law to be thoroughly conversant with fundamental and intricate principles of economic system. Economics may therefore be offered to students of all streams.

Contents of syllabus

Module – 1 Introduction:

10 lectures

Definition and scope, basic assumptions, nature of economic laws, should economics be neutral between ends, various economic functions, types of economic studies- macro and micro, definition of some basic concepts – utility, goods, wealth, income, rationality, optimality, commodity, production, consumption, equilibrium, concerns for wealth and welfare. Relationship between law and economics.

Module-2 Consumer Behaviour

10 Lectures

Principle and concepts relating to utility, various approaches, concept of elasticity and their types, determinants and importance of elasticity of demand. Theory of indifference curve, consumer's equilibrium - basic principle in Demand and Supply – Demand functions and demand curve, elasticity in demand curve, supply functions and elasticity, aggregative demand and supply - Principle of substitution, Law of Equi-marginal returns, Consumer surplus. Price determination, shift of demand and supply. Application of demand and supply –floor and ceilings.

Module-3: Theory of Production and Cost

10 lectures

Factors of production - land, labour, capital and organisation, production decisions, production function, Factor substitution, Law of variable proportion, economics of scale, different concepts of cost and the inter-relation, Laws of Returns: - Production Function in Short-Run and Long Run. Revenue Concepts - Total Revenue, Marginal Revenue, Average Revenue and their relationship.

Cost Analysis: - Accounting Costs and Economic Costs, Short Run Cost Analysis: - Fixed, Variable and Total Cost Curves, Average and Marginal Costs. Land characteristics, Labour – definition and characteristics, theories relating to supply of labour, efficiency criteria, and relation of labour and productivity, capital – definition and complexity in defining, some concepts and distinctions, characteristics, functions, growth of capital – savings and investment, Organization – types and characters, state enterprises

Module- 4 Market Structure

12 lectures

Market structures: Economic features, types – demand and supply based, time based, structure based, Perfect competition, Imperfect competition, Monopoly, duopoly, oligopoly and monopsony, Monopoly and Combination- informal understanding, formal agreement to form cartel, trust, holding company, amalgamation and merger, price determination

Module -5 Factor pricing and distortion of market

5 lectures

Marginal productivity theory of distribution - theories of rent – theories of determination of wages – theories of determination of interest – risks and uncertainties of production – theories on profit. Distortions to market: Various forms of monopolistic and unfair trade practices – antitrust and anti-cartel legal systems and market regulatory systems to develop in various countries

Module-6 wealth and welfare economics

5 lectures

Wealth and welfare economics – meaning of welfare economics – social welfare and principles of justice – social welfare functions – social choice and social welfare – New Welfare Economics – concepts and features, new concepts of welfare economics: Price regulation, bail out of industries, Public distribution system, administered and support price, MRP.

Note: The number of lectures indicated against each unit is tentative only and the same may proportionately vary depending on whether traditional method or blended teaching or purely online classes are to be conducted.

Suggested Readings:

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- 1 Textbook of Economic Theory - Stonier and Hague; Longman Green and a. Co., London.
- 2 Introduction to Positive Economics - Richard G. Lipsey
- 3 Micro Economics - M. L. Jhingan; (Vrinda Publications, New Delhi.)
- 4 Micro Economic Theory – Dr. V. C. Sinha – (SahityaBhawan, Agra)
- 5 K. K. Dewett-Modern Economic Theory (S. Chand Publications)
- 6 S. R. Myneni- Principles of Economics, (Allahabad Law Agency).
- 7 Samuelson and Nordrons- Economics (McGraw Hill. Inc.)
- 8 R.L. Millar- Economics Today (Addison Wesley)
- 9 Dominick Salvatore, Micro Economics: Theory and Application, Oxford University Press, Indian Edition, New Delhi, 2007.

- 10 Paul Samuelson, Economics, Tata Mc Graw Hill Publishing Company Limited, New Delhi, 2007.
- 11 M.L. Seth, Principles of Economics, Lakshmi Narain Agarwal Educational Publishers, Agra, Thirty Fifth Edition, 2001.
- 12 H.L. Ahuja, Advanced Economic Theory: Micro Economic Analysis, S. Chand and Company Limited, New Delhi, 2007.
- 13 P.N. Chopra, Principles of Economics, Kalyani Publishers, Ludhiana, 2006.

CHANAKYA NATIONAL LAW UNIVERSITY, PATNA
3RD SEMESTER
LECTURE PLAN: PROPERTY LAW

The concept of Property and nature of property right are basis to the understanding of Law relating to Property. This course will study the concept in particular, its contemporary emphasis on user, the evolution of the right to transfer property and the limitations operating thereon as laid down in the Transfer of Property Act 1882. Necessary references will be to the English Law as well as to the doctrines of equity which have been responsible for crystallization of the basic principles of property law. The general principles relating to transfer of property will be studied in the back drop of the Law of contract to which it owes considerable allegiance as property regimes changes through voluntary and involuntary procedures. The Law of Trusts and Law of Easements will also form a part of the course in which easementary rights appertaining to property will be studied.

Sl. No.	Name of Act/ Topic	Approximate Number of Lectures
<u>UNIT-1</u>	<u>INTRODUCTION (GENERAL PRINCIPLES OF TRANSFER)</u> General Meaning and Kinds of Property, General introduction of Transfer of property Act 1882 - Historical perspective, Scope and Object and Definitions under Section 3 of the Act- Immovable Property; Instrument; Attestation; Actionable Claim and Notice – Its Kinds	07-09
<u>UNIT –II</u>	<u>GENERAL PRINCIPLES OF TRANSFER OF PROPERTY ACT</u> Transfer of Property, whether Movable or Immovable, Illegal Restrictions on certain alienations, Transfer for benefit of unborn persons, Rule against perpetuity Vested and Contingent Interest, Conditional Transfers, Doctrine of Election, Transfer by person other than full owner, Transfer by Co-Owners and Joint Transfers, Priority of Rights created by Transfer Bona fide holders under Defective Title, Doctrine of Lis Pendens, Fraudulent Transfers, Part – Performance	12-14
<u>UNIT –III</u>	<u>SALE OF IMMOVABLE PROPERTY</u> Definition of Sale, Contract for Sale Sale how effected Rights and Liabilities Buyer and seller Marshalling by Subsequent Purchaser	7-09
<u>UNIT –IV</u>	<u>MORTGAGES OF IMMOVABLE PROPERTY AND CHARGES</u>	

	Definition of Mortgage, Kinds of Mortgage, Rights and Liabilities of the Mortgagor, Rights and Liabilities of the Mortgagee, Provisions as to Priority of Securities, Marshalling and Contribution, Definition of charge and Doctrine of Merger	12-14
<u>UNIT-V</u>	<u>LEASES OF IMMOVABLE PROPERTY</u> Definition of Lease, Duration and Termination of Lease, Rights and Liabilities of Lessor, Rights and Liabilities of Lessee, Determination of Lease and Kinds of Lease	07-09
<u>UNIT – VI</u>	<u>EXCHANGES AND GIFTS</u> Definition of Exchange Exchange how effected, Rights of Deprived Party Rights and Liabilities of Parties and Exchange of Money Definition of Gift, Mode and Kinds of Gifts Revocation and Suspension of Gifts	06-08
<u>UNIT – VII</u>	<u>LAW OF EASEMENT</u> Meaning and Definition of Easement Creation and Features of Easement Acquisition and Extinction of Easement License – Acquisition, Revocation and difference between lease and license	03-05
<u>Unit- VIII</u>	<u>Law of Trusts</u> Importance and Applicability of the Indian Trusts Act Definition of Trust, Trustee and Beneficiary Creation, Rights, Powers and liabilities of Trustee and Beneficiary	03-05

References (Student Edition)

Transfer of Property Act by Mulla
 Law of Transfer of property by G.C.V. Subba Rao
 The Transfer of Property Act by R.K. Sinha
 The Transfer of Property Act by S.N.Shukla

- The portion for the surprise test will be up to the topics covered till then.
- The portion for the mid-semester examination will be the topics covered till then from beginning.
- The portion for the end semester examination will be entire syllabus i.e. the topics covered from beginning till then.

FACULTY

Dr. Vijay Kumar Vimal

World history

Unit 1 Europe from 1740-1815

1. Renaissance
2. Reformation
3. Industrial revolution in England
4. French revolution
5. Napoleonic Era and Europe

Unit 2 Europe from 1815-1850

1. Vienna settlement
2. Concert of Europe
3. Role of Metternich
4. Marxist theory

Unit 3 Europe from 1850-1870

1. Russian Revolution
2. Unification of Italy
3. Unification of Germany

Unit 4 Europe from 1871-1945

1. First World War
2. League of Nations
3. Second World War
4. Humanitarian concerns and United Nations

Books

1. James Joll - Europe since 1815
2. David Thomson - Europe since Napoleon
3. Edward Burns - World Civilization Volume B and C.
4. C.D.M Ketelby - A History of Modern times from 1789.